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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,629	09/29/2003	Kyoung Ho Kim	1594.1244	6232

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EXAMINER

VAN, QUANG T

ART UNIT PAPER NUMBER

3742

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

10/671,629

Applicant(s)

KIM ET AL.

Examiner

Quang T Van

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-34 and 37-39 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6-13, 15, 17, 18, 20, 35, 36 and 40 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 14, 16, 19 and 21-23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20030929</u> . | 6) <input type="checkbox"/> Other: ____. |

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

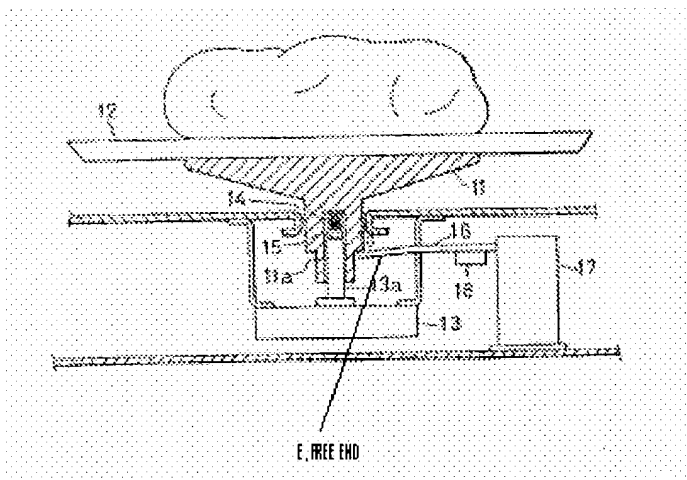
Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

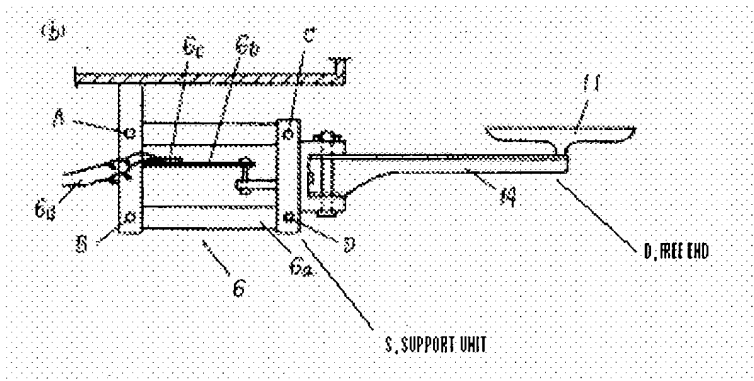
Claims 1-2, 6, 8-13, 17-18, 20 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Hisaya (JP59215519A). Hisaya discloses cooking utensil comprising a weight detecting unit (18) supported at an end thereof, and detecting a weight according to a force applied to a free end (E, figure below) thereof; and a support unit (17) to support the weight detecting unit.



3. Claims 1-2, 9-13 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Masaaki (JP57155035A). Masaaki discloses a microwave heater

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comprising a weight detecting unit (6) supported at an end thereof, and detecting a weight according to a force applied to a free end (D, figure below) thereof; and a support unit (S) to support the weight detecting unit.



Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 15 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP57155035A) in view of Baek (KR1019960011448) cited by applicant. Masaaki discloses substantially all features of the claimed invention except the food seating unit being provided on a top plate of an exterior casing of the microwave oven. Baek discloses a food seating unit (5) being provided on a top plate of an exterior casing of the microwave oven (see figure). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in

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Masaaki a food seating unit being provided on a top plate of an exterior casing of the microwave oven as taught by Baek in order to provide a better compact of the microwave oven. With regard claims 35-36, Masaaki discloses substantially all features of the claimed invention except dissipating heat generated by the microwave oven in the weight detecting device. Baek also discloses the step of dissipating heat generated by the microwave oven in the weight detecting device by having a vent hole (121). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Masaaki the step of dissipating heat generated by the microwave oven in the weight detecting device as taught by Baek in order to prevent a variation in the detecting weight.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hisaya (JP59215519A) in view of Baek (KR1019960011448) cited by applicant. Hisaya discloses substantially all features of the claimed invention except the weight sensor being provided with at least one heat dissipating hole. Baek disclose a weight sensor being provided with at least one heat dissipating hole (121). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Hisaya a weight sensor being provided with at least one heat dissipating hole as taught by Baek in order to prevent a variation in the detecting weight.

7. Claims 24-34, and 37-39 are allowed.

8. Claims 3, 5, 14, 16, 19, 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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9. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest the support unit is mount to the top plate of the interior casing as recited in claims 3, 14; a food seating unit comprising a rubber packing mounted to the tray bracket and a locking ring to lock the rubber packing to the tray bracket as recited in claims 5, 16; one or more heat dissipating holes formed in the beam at a predetermined portion of the beam so as to allow the beam to bend in response to the external force applied to the free end of the weight sensor and to dissipate heat generated by the microwave as recited in claims 19-23; a weight detecting unit supported on the interior casing at a fixed end of the weight detecting unit by the support unit as recited in claims 24-34; a weight detecting unit with a beam thereof, supported on the interior casing at a fixed end of the weight detecting unit by the support unit as recited in claim 37; a weight detecting unit with a cantilever beam, supported on the interior casing at a fixed end of the weight detecting unit by the support unit as recited in claims 38-39.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: JP57155034A discloses a microwave oven detect weight sample remove scale control microwave output. JP59044527A discloses a microwave oven weight sense control output HF oscillator in accordance with weight of cooking material.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Pothier can be reached on 703-308-0265. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

QV

QV

March 22, 2004



Quang T Van
Primary Examiner
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